

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

DAVID ITALIANO,  
Plaintiff,

v.

No. 18cv241 KRS

FNU LNU,  
Defendant.

**ORDER TO CURE DEFICIENCY**

**THIS MATTER** is before the Court *sua sponte*. Plaintiff filed a complaint but did not pay the \$400.00 fee<sup>1</sup> for instituting a civil action or file an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form).” Plaintiff shall have twenty-one (21) days from entry of this Order to either pay the \$400.00 fee or file an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form).” Failure to timely pay the fee or file an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)” may result in dismissal of this case without prejudice. Any papers that Plaintiff files in response to this order must include the civil cause number (No. 18cv241 KRS) of this case.

**IT IS THEREFORE ORDERED** that, within twenty-one (21) days of entry of this Order, Plaintiff shall either pay the \$400.00 fee or file an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form).”

**IT IS ALSO ORDERED** that the Clerk shall mail to Plaintiff, together with a copy of this Order, an “Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form).”

  
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**UNITED STATES MAGISTRATE JUDGE**

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<sup>1</sup> The fee for instituting any civil action, suit or proceeding is comprised of a \$350.00 filing fee, *see* 28 U.S.C. §1914, and a \$50.00 administrative fee.